

RHR Information Services, Inc.

Select Rent News

Editor's Note



Happy Halloween!

For you trivia buffs, Halloween originated from the Pagan festival Samhain, celebrated among the Celts of Ireland and Great Britain. Irish and Scottish immigrants carried versions of the tradition to North America in the nineteenth century.

This month we bring you more information on the new e-verify program—please check the article on page 4.

Do you exercise due diligence when taking an adverse action

against a resident-applicant? Read more on page 2 and contact us for further information should any concerns arise.

Many job applicants post their resume online in various resume banks. However is their personal information kept confidential? Check the article on page 2.

Please do not hesitate to call for any questions at 952-545-3953 or 888-389-4023.

Thank you, Jana Castillon

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Judge Rejects Background Checks Claim

Los Angeles—Associated Press
A federal judge denied a request Wednesday by more than two dozen workers at one of NASA's research labs to block a Bush administration directive requiring background checks and access to personal information.

A group of 28 employees at the Jet Propulsion Laboratory in Pasadena said the new security checks invaded their privacy, and sued in August to overturn the requirements. NASA maintained it was following a government-wide

policy applying to millions of civil servants and contractors.

The lab workers have until Friday to fill out forms authorizing the background checks. Those who don't will be barred from the 177-acre campus east of Los Angeles and be "voluntarily terminated" as of Oct. 27.

About 4,100 of the 5,000 employees have begun the process, though Dan Stormer, the attorney for the employees who sued, said he will file an emergency appeal with the

9th U.S. Circuit Court of Appeals on Thursday.

A 2004 presidential directive ordered every government agency to step up security to their facilities and computer systems by issuing new identification badges to employees.

To obtain the new cards, workers have to be fingerprinted, undergo a background check and sign a waiver allowing federal investigators access to personal information.

Fair Debt Collection Practices Act

Info from landlord2landlord.com

Two acts designed to protect consumers are usually not considered relevant by property managers or owners: The Fair Debt Collection Practices Act; The Fair Credit Reporting Act.



Until recently, the relationship between residents and property owners was not viewed as a consumer debt relationship. However a recent case may suggest that anyone who helps property owners collect past due rents can be subject to the FDCPA, including property managers and attorneys.

The goal of the FDCPA is to stop unfair, unethical and illegal bill collection tactics by debt collectors. Personal, family and household debts are covered under the FDCPA.

This includes money owed for the purchase of an automobile, for medical care or for charge accounts.

The act defines a debt collector as any person who regularly collects debts owed to others.

This includes attorneys who collect debts on a regular basis. But does it include property managers or property owners trying to collect past due rent?

The answer seems clear: if you are the property owner, you need to follow property owner/manager tenant law but not specifically meet the requirements of the FDCPA.

If you are not the property owner and contact residents about past due rent, it is recommended that communications with residents meet the requirements of the FDCPA.

Within five days after first contacting the debtor, the collector must send a written notice stating the amount of money owed; the name of the creditor to whom the money is owed; and what action to take if the debtor believes they do not owe the money. A second act, the Fair Credit Reporting Act, regulates the providers and users of credit reports.

The National Multi-Housing Council requested an opinion from the Federal Trade Commission regarding the use of credit reports when screening tenants.

The FTC reported back that property owners have obligations under the FCRA when they take adverse actions based on credit reports or other types of consumer reports. (A consumer report contains information about an individual's personal and credit characteristics, character, general reputation, and

lifestyle).

The FCRA covers a report if a consumer reporting agency, i.e. a business that assembles such reports for other businesses, prepares the report.

Most property managers and property owners rely on these credit reports as part of the tenant screening process.

Amendments in 1996 to the FCRA added a broad catch-all to cover all actions or de-terminations "adverse to the interests of the consumer," made in connection with an application made by, or a transaction initiated by, the consumer, i.e. a tenant denied housing due to their credit report.

The catch-all provision clearly covers the property owner resident situation. Thus, property owner/managers who use consumer reports must now provide applicants Section 615(a) adverse action notices when they refuse to rent or lease a dwelling, or when they require an increased security deposit as a precondition to the rental, based on a consumer report.

Please contact our office for any questions or concerns.

888-389-4023 or
952-545-3953

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For Virtual Jobs, Click with Caution

Article from the Star Tribune

There can be risks in posting your resume online. And beware of listings that appear too good to be true. It's probably because they are.

Candace Thompson is finding the job market awash with opportunity. A Japanese lumber company wants her to be part of its team, as "remote financial manager in the USA." A Swedish luxury-goods company is offering her a chance to work at home as a part-time "virtual assistant" -- with the possibility of advancing to full time. The problem is, both jobs are bogus, from nonexistent companies.

They and plenty of offers like them started coming to the laid-off collections worker in New Brighton about four months ago, after she posted her resume on careerbuilder.com.

Thompson, 55, quickly decided that the offers were too good to be

true. And when she called the Better Business Bureau in St. Paul, she learned that her caution saved her from job scams -- tricks to get her bank account or Social Security numbers -- that privacy advocates and employment professionals say are the biggest source of identity theft from job boards.

To be sure, online job sites are big businesses that have helped millions of people find jobs. Careerbuilder.com, owned by Microsoft Corp. and three of the largest newspaper companies in the country, has more than 1.5 million job listings. Monster Worldwide, parent of Monster.com, has a market capitalization of \$4.3 billion, even with its stock trading near 52-week lows.

And, by and large, such boards are very secure places, said Gerry Crispin, founder of CareerXroads, a recruitment technology consulting firm based in

New Jersey. Problems happen when people fail to pick up how far-fetched -- and badly written -- these bogus jobs are, and quickly give up personal information to scam artists, Crispin said.

"The reason that's still growing is just that more people can access more people using the Web," he said.

Some scams are getting more sophisticated, triangulated and harder to deconstruct, countered Pam Dixon, founder of the World Privacy Forum in California. The nonprofit public-interest research group focuses on privacy issues including consumer data, the workplace, background checks and public records, among others.

Some websites are better than others, but there is no such thing as a safe resume database.



Proposed Green Card Recall

Article from the Twin Cities Planet

Imagine the road rage that would occur if the Department of Motor Vehicles was to suddenly declare almost two million driver's licenses invalid, giving drivers 120 days to turn them in, submit to a background check, and purchase their updated licenses for \$370.

This is the proposal that the United States Citizenship and Immigration Services (USCIS) is putting into effect for legal immigrants who have lived in the United States for 18 to 30 years.

The proposed rule would invalidate their main form of identification, the permanent resident I-551 form, commonly referred to as a "green card."

The federal government's Immigration and Naturalization Services (now USCIS, part of the Department of Homeland Security—DHS) issued an estimated 1.9 million green cards without expiration dates to immigrants before 1989.

After 1989 an expiration date

was added, requiring renewal every ten years.

At the present moment, the older cards without expiration dates are still considered valid documents. Homeland Security officials, however, plan to order replacement of the cards "in order to issue more secure forms, update cardholder information, conduct new background checks, and electronically store biometric information."



10505 Wayzata Boulevard
Suite 200
Minnetonka, MN
55305

Phone: 888-389-4023 / 952-545-3953
Fax: 888-389-4024 / 952-545-3973
E-mail: tonyk@rhris.com



The Right Path to the Right People



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E-Verify Upgrade

Article from governmentexecutive.com

The Homeland Security Department launched an upgraded version of its Internet-based system that helps employers screen out illegal workers in the hiring process. More than 23,000 employers nationwide participate voluntarily in E-Verify, formerly known as the Basic Pilot employment eligibility verification program.

The Web-based system allows employers to check the status of newly hired workers by matching the information they present against records stored in Social Security Administration and Homeland Security databases.

During the hiring process, both citizens and non-citizens must present documentation showing they are eligible to work. Non-citizens may present drivers licenses and Social Security cards, permanent resident

cards known as green cards, or employment authorization documents.

The enhanced version of E-Verify allows employers to match photos on green cards and employment authorization documents with the photos in Homeland Security's database, which were stored when the documents were created.

If the photos don't match, there's a strong likelihood that the document is not authentic. "We want to give employers the tools they need to make the right decisions about hiring," said Emilio Gonzalez, director of Homeland Security's bureau of Citizenship and Immigration Services, which administers the program.

In more than 800 queries of green card and employment authorization documents con-

ducted during a pilot test of the photo-verification tool, three mismatches were found. None of the three employees presenting the mismatched documents contested the results.

An independent audit showed that 93 percent of queries through E-Verify are answered immediately or the next day. The remaining 7 percent are categorized as tentative non-confirmations, and employees have eight days to contest the findings and present mitigating evidence; CIS then has two days to resolve the discrepancy.

Non-confirmations may indicate fraud, or perhaps simple oversight. For example, people who failed to notify the Social Security Administration following a marriage or divorce that resulted in a name change would be flagged.